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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHNNIE DAVIS, ) No. C-05-1341-MMC  
Plaintiff, )  
v. ) **STIPULATION ALLOWING PLAINTIFF**  
CITY AND COUNTY OF SAN FRANCISCO; ) **TO FILE FIRST AMENDED**  
OFFICER SCHAFFER (#1749); OFFICER )  
ETCHEBER (#1821); OFFICER NASTARI )  
(#1766); OFFICER TRAIL (#921); INSP. )  
HALLORAN (#772); and, DOES 1-60, )  
Defendants. )  
\_\_\_\_\_  
)

PLAINTIFF AND DEFENDANT CITY & COUNTY OF SAN FRANCISCO HEREBY  
STIPULATE, THROUGH COUNSEL OF RECORD, AS FOLLOWS:

Counsel for the stipulating parties have met and conferred over status of the pleadings, specifically the proposed complaint Plaintiff included as an attachment in his motion for leave to file a first amended complaint. Counsel for the City & County of San Francisco has agreed to permit filing of a revised version of that first amended complaint, a true and correct copy of which is attached hereto.

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STIPULATION ALLOWING PLAINTIFF TO FILE FIRST  
AMENDED COMPLAINT AND MUNICIPAL DEF.  
TO RESPOND; ORDER

*Davis v. San Francisco, et al. (No. C-05-1341)*

The City & County of San Francisco shall respond to the attached proposed amended complaint after filing and service by mail on the Office of the City Attorney.

Date: 09/15/05

/S/

Law Office of Russell A. Robinson  
Attorneys for Plaintiff  
JOHNNIE DAVIS

Date: 09/14/05

/S/

PETER J. KEITH, Deputy City Attorney  
City & County of San Francisco  
Attorneys for Defendant  
CITY & COUNTY OF SAN FRANCISCO

## ORDER

Good cause appearing, the Court hereby orders as follows:

13 Plaintiff may electronically file the proposed first amended complaint (as revised), and  
14 shall serve it by mail on counsel for Defendant City & County of San Francisco. The October 7,  
15 **IT IS SO ORDERED.** 2005 hearing on plaintiff's motion for leave to amend is  
hereby VACATED.

Date: September 16, 2005

Maxine M. Chesney  
HONORABLE MAXINE M. CHESNEY  
JUDGE, USDC Northern Dist. Of Cal.

**STIPULATION ALLOWING PLAINTIFF TO FILE FIRST  
AMENDED COMPLAINT AND MUNICIPAL DEF.  
TO RESPOND, ORDER**